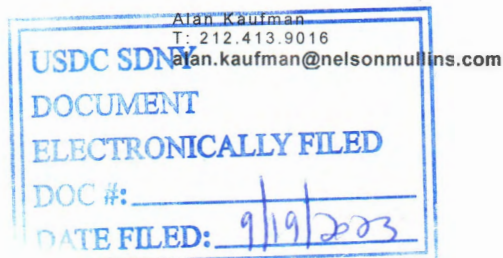


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Via CM/ECF

Hon. Colleen McMahon  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312Re: *Benefit Street Partners Realty Operating Partnership, L.P., et al. v. Di Hao Zhang, et al.*  
Case No. 1:23-cv-04182-CM

Dear Judge McMahon:

We represent the Plaintiffs in the above-referenced matter and write to request dismissal of the case in its entirety and without prejudice.

Plaintiffs originally filed this action in the Supreme Court of the State of New York, New York County (the "State Court Action"), alleging, among other things, that Defendants were the recipients of fraudulent transfers from Ismail Bhai, Raheel Bhai, and Rozmeen Bhai. On April 5, 2023, Ismail Bhai filed a voluntary petition (the "Bankruptcy Case") under Chapter 7 of Title 11, United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of Texas (the "Bankruptcy Court"). Plaintiffs timely filed a notice of removal of the State Court Action to this Court on May 19, 2023, because the State Court Action arises in or is related to a case under the Bankruptcy Code, pursuant to 28 U.S.C. § 1334(b), and property of Ismail Bhai's bankruptcy estate includes the fraudulent transfer claims asserted in the State Court Action and any property recovered by the bankruptcy trustee. 11 U.S.C. §§ 541(a)(1), (3), 544(b), 548.

On July 25, 2023, Anne Elizabeth Burns (the "Trustee"), the duly appointed Chapter 7 Trustee in the Bankruptcy Case, filed an application to employ Nelson Mullins as special counsel to investigate and pursue, among other things, claims to avoid preferential and/or fraudulent transfers on behalf of the bankruptcy estate. The Bankruptcy Court entered an order approving Nelson Mullins' employment on September 1, 2023. The Trustee has now authorized dismissal of this matter without prejudice. Additionally, Nelson Mullins has been in communication with Jeffrey Wilson, Esq., counsel for the Defendants in the State Court Action (copied here), who has indicated that—to the extent required—Defendants consent to dismissal without prejudice.

CALIFORNIA | COLORADO | DISTRICT OF COLUMBIA | FLORIDA | GEORGIA | ILLINOIS | MARYLAND | MASSACHUSETTS | MINNESOTA  
NEW YORK | NORTH CAROLINA | OHIO | PENNSYLVANIA | SOUTH CAROLINA | TENNESSEE | TEXAS | VIRGINIA | WEST VIRGINIA

September 19, 2023

9/19/2023  
While this could have been accomplished by filing (I see) other a Rule 41(c) notice (I see) no answer on the docket? I am a stupid? I dismiss in that prejudicial

Hon. Colleen McMahon  
September 19, 2023  
Page 2

Accordingly, Plaintiffs request that the above-referenced matter be dismissed in its entirety and without prejudice.

Respectfully submitted,

*Alan F. Kaufman*

Alan F. Kaufman

cc: Jeffrey Wilson, Esq. (via email)